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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/680,107	REID, GLENN	
	Examiner	Art Unit	
	Jin-Cheng Wang	2628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 November 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Applicant's submission filed on 11/20/2007 has been entered. Claims 1, 8, 15, and 21 have been amended. Claims 1-26 are pending in the present application.

Response to Arguments

Applicant's arguments, filed November 20, 2007, with respect to claim 1 and similar claims have been considered but are moot in view of the new ground of rejection based on the Adobe After Affect Version 4.0, July 15, 1999, http://proquest.safaribooksonline.com/0201658917, (hereinafter After-Effect).

As addessed in the present Office Action, the claim 1 is fulfilled by After-Effect.

In a non-limiting example, Adobe After-Effect teaches at Pages 9-12 that the effects and properties applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored in ActHiR.mov. After-Effect thus teaches storing the modifications (effects and properties) in a file ActHiR.mov for the presentation of the effects/properties and for the presentation of the movie represented by the proxy sequence of frames while rendering the effects and properties on the application window with a sequence of the image frames. The proxy sequence of frames representing the movie footage can be presented on the application window upon the user's selection. The original movie footage can be revised by adding effects to the original movie footage to provide revised movie footage while the effects are applied to the proxy frames and the actual footage. Since the proxy movie footage is extracted based on the

actual footage or the revised footage, the presentation of the proxy movie footage is also a presentation of the actual footage while editing is performed on the proxy movie footage and effects are applied to the actual footage to create the revised footage. For this reason, After-Effect teaches a presentation of a time-based stream of information---actual footage---as represented by proxy movie footage at a resolution and frame rate set by the user. It should be pointed out that the claim 1 set forth the claim limitation of "the file" in the "creating" step referring to the same file in the "rendering" step for the presentation of effects and properties in the sequence of the image frames. Proxy frames simulating the editing effects are not written into the movie file for the presentation of effects/properties with the sequence of the image frames on a display device.

The claimed file corresponds to the Adobe-Effect's ActHiR.mov----representing the revised movie as modified from the original footage after rendering the effects to the original footage in a presentation of the editing effects with the sequence of the image frames. The claimed simulation of the modifications corresponds to the simulation of the effects and properties on the proxy frames on a display device at the user selected resolution and frame rate while the new effects are added to the proxy frames and the simulation of the modifications is later stored as a proxy footage file ActPrx.mov or FX_HiR.mov----representing the proxy frames, which is NOT stored in the claimed "file" corresponding to the revised movie footage file---ActHiR.mov. Thus, creating the proxy movie ActPrx.mov or FX_HiR.mov includes simulating the adding of the effects to the presentation without writing the simulation of the modifications to the same movie file ActHiR.mov.

Since the simulation of the modifications is related to effects being added to the proxy---ActPrx.mov or FX_HiR.mov---on a display, as opposed to adding the edit features to the original footage to create a revised movie footage----ActHiR.mov----which is resident on a storage. When the effects being added to the movie footage---ActHiR.mov---stored on a storage device, simulation occurs within the storage file, ActHiR.mov, rather than on the presentation. The simulation of modifications refers to the simulation of the proxy footage when the effects are added to the proxy frames on a display as the proxy footage is created during the rendering.

The original footage can be rendered at lower-resolution proxy on a display during the rendering. See Pages 7-11, wherein the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to produce the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps. See also Page 22, proxy is created during the rendering on a display. See also Page 30-31 wherein a variety of effects are applied to the lower-resolution proxies/counterparts of the original image frames of the movie project.

Importantly, Adobe After-Effect teaches at Pages 9-12 that the effects and properties applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored in ActHiR.mov----wherein the movie has been revised by adding effects to the original footage. It should be pointed out that the claim 1 set forth the claim limitation of "the file" referring to the same file for the presentation. Proxy footage is not written into the original footage file.

Although the proxy footage is also stored in the file folder as a proxy file, it is different from the revised movie footage----ActHiR.mov----and thus the movie footage file, not the proxy file, meets the claimed "file"; see Page 11 wherein ActPrx.mov is a proxy movie of

ActHiR.mov; see Pages 22-31 for the lower-resolution counterparts/proxies of the original movie footage.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Adobe After Effect Version 4.0, July 15, 1999, http://proquest.safaribooksonline.com/0201658917 (hereinafter After-Effects; for applicant's convenience, a number of relevant pages from the e-book has been printed out and the printed-out-pages are renumbered for ease of reference).

1. Re Claims 1, 8, 15, 21:

After-Effects teaches a method of manipulating a presentation of a time based stream (e.g., adding effects to a movie clip, an animation clip, etc) of information in a processing system, the method comprising:

Rendering modifications (*such as plug-ins, effects, images added to a movie; see page 1 and 35 or modifications of an original movie at lower-resolution; see also Page 31 wherein effects/coordinates can be controlled in the Effect Controls window; see Pages 9-12*) of a presentation (*e.g., rendering the project 07Movie.mov which is a sequence of frames of the movie; see Page 2 and 6 wherein the Render Settings window should be checked for the*

*following settings: Use No Proxies and Effects All on wherein effects correspond to edit features of the claim invention; With After Effects, the user can also import high-resolution footage of an actor filmed against a blue screen and create a proxy or a lower-resolution copy of the original footage from the Composition window; see Page 9-12. When you use the ActHiR.mov file in a composition, After Effects will use the proxy for display. Effects and properties applied to the proxy are applied to the actual footage when the movie is rendered with Use No Proxies selected from the Proxy Use menu in the Render Settings dialog box. Even though the proxy is 152*384, it behaves as if it's 2048*1536 in the composition*) that include adding an edit feature to the presentation that has one or more references (*The edit feature includes the settings in the Render Settings window which can be changed by a user; see Page 2 and 6 or rendering at lower-resolution of an original movie; the one or more references are the pixel positions/locations/coordinates/time-stamps corresponding to the proxy frame and/or the original frame in the sequence of frames*), to create a revised presentation, and storing the modifications in a file for the presentation in response to a user edit command (*effects and properties applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored in ActHiR.mov----wherein the revised footage stored in ActHiR.mov meets the claim limitation of "a file for the presentation"*), wherein the one or more references (*e.g., pixel positions/locations/coordinates/time-stamps corresponding to the proxy frame and/or the original frame in the sequence of frames*) have instructions to manipulate the time based stream of information (*e.g., rendering the project 07Movie.mov which is a sequence of frames within a movie; see Page 2 and 6 wherein the Render Settings window should be checked for the following settings: Use No Proxies and "Effects All" on wherein Effects correspond to edit*

*features of the claim invention are applied to the lower-resolution proxies; With After Effects, the user can also import high-resolution footage of an actor filmed against a blue screen and create a proxy or a lower-resolution copy of the original footage from the Composition window; see Page 9-12. When you use the ActHiR.mov file in a composition, After Effects will use the proxy for display. Effects and properties applied to the proxy are applied to the actual footage when the movie is rendered with Use No Proxies selected from the Proxy Use menu in the Render Settings dialog box. Even though the proxy is 152*384, it behaves as if it's 2048*1536 in the composition. Other edit features or effects can be found in Page 24; adding the FX_HiR.mov footage item to the composition twice to give the sky a glow; see Page 25 wherein movies are combined)*; and

Creating a proxy during the rendering that includes a simulation of the modifications (*The original movie can be rendered at lower-resolution proxy during the rendering; see Page 7-11 wherein the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps; See also Page 22, proxies including FX_Prx.mov are created during the rendering wherein proxy images and/or effects are added to the movie FX_HiR.mov and the proxy frames of FX_HiR.mov are rendered at the user-selectable resolution with the effects being added to the proxy frames; see Page 21-31 wherein a variety of effects are applied to the lower-resolution proxies/counterparts of the original image frames of the movie project. It is clear that the proxy frames are created during the rendering of the ActHiR.mov as effects are added to the original movie and the proxy frames simulate the modifications/changes/effects to the original movie*), wherein the creating the

proxy includes simulating the adding of the edit feature to the presentation without writing the simulation of the modifications to the file (*"the file" as claimed corresponds to the file ActHiR.mov----representing the revised movie footage. The claimed simulation of the modifications corresponds to the proxy frames being simulated on a display with the new effects being added to the proxy footage while being presented on the display and the simulation of the modifications is later stored as a proxy file FX_HiR.mov----representing the proxy footage. Although the proxy footage is also stored, it is not the same as the claimed "file" corresponding to the actual movie footage. Thus, creating the proxy footage ActPrx.mov or FX_HiR.mov includes simulating the adding of the effects to the presentation without writing the simulation of the modifications to the actual movie footage represented in the file ActHiR.mov since the simulation of the modifications is related to effects being added to the proxy footage---- ActPrx.mov or FX_HiR.mov---being presented on a display, as opposed to the actual movie footage----ActHiR.mov----being resident on a storage and can be brought into view by the user, and thus the simulation of modifications is added to the proxy frames on a display as the proxy footage is created during the rendering and/or adding of the editing features. The original movie footage can be rendered at lower-resolution proxy on a display during the rendering; see Page 7-11 wherein the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps; See Page 22, proxy is created during the rendering on a display; see Page 30-31 wherein a variety of effects are applied to the lower-resolution proxies/counterparts of the original image frames of the movie project. See Pages 9-12, the effects and properties applied to the proxies or the lower-*

resolution counterparts are applied to the actual footage stored in ActHiR.mov----wherein the movie has been revised by adding effects to the original movie footage to create a revised movie footage; see Page 11-12, although the proxy is also stored in the file folder as a proxy file, it is different from the revised movie footage----ActHiR.mov----which corresponds to the claimed "file"; see Page 11 wherein ActPrx.mov is a proxy movie footage of ActHiR.mov; see Pages 22-31 for the lower-resolution counterparts/proxies of the original movie);

Sending the proxy to a display (*See Page 22, you'll set proxies to speed up screen redraw; see Page 31 wherein the lower-resolution proxies are displayed*) and

Displaying the proxy during the rendering (*See Page 22, you'll set proxies to speed up screen redraw; see Page 31 wherein the lower-resolution proxies are displayed*).

In other words, Adobe After-Effect teaches at Pages 9-12 that the effects and properties applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored in ActHiR.mov. After-Effect thus teaches storing the modifications (effects and properties) in a file ActHiR.mov for the presentation of the effects/properties and for the presentation of the movie as represented by the proxy sequence of frames while rendering the effects and properties on the application window with a sequence of the image frames. The proxy sequence of frames representing the movie footage can be presented on the application window upon the user's selection. The original movie footage can be revised by adding effects to the original movie footage to provide revised movie footage while the effects are applied to the proxy frames and the actual footage. Since the proxy movie footage is extracted based on the actual footage or the revised footage, the presentation of the proxy movie footage is also a presentation of the actual

footage while editing is performed on the proxy movie footage and effects are applied to the actual footage to create the revised footage. For this reason, After-Effect teaches a presentation of a time-based stream of information---actual footage---as represented by proxy movie footage at a resolution and frame rate set by the user. It should be pointed out that the claim 1 set forth the claim limitation of "the file" in the "creating" step referring to the same file in the "rendering" step for the presentation of effects and properties in the sequence of the image frames. Proxy frames simulating the editing effects are not written into the movie file for the presentation of effects/properties with the sequence of the image frames on a display device.

The claimed file corresponds to the Adobe-Effect's ActHiR.mov----representing the revised movie as modified from the original footage after rendering the effects to the original footage in a presentation of the editing effects with the sequence of the image frames. The claimed simulation of the modifications corresponds to the simulation of the effects and properties on the proxy frames on a display device at the user selected resolution and frame rate while the new effects are added to the proxy frames and the simulation of the modifications is later stored as a proxy footage file ActPrx.mov or FX_HiR.mov----representing the proxy frames, which is NOT stored in the claimed "file" corresponding to the revised movie footage file---ActHiR.mov. Thus, creating the proxy movie ActPrx.mov or FX_HiR.mov includes simulating the adding of the effects to the presentation without writing the simulation of the modifications to the same movie file ActHiR.mov.

Since the simulation of the modifications is related to effects being added to the proxy---ActPrx.mov or FX_HiR.mov---on a display, as opposed to adding the edit features to the original footage to create a revised movie footage----ActHiR.mov----which is resident on a storage.

When the effects being added to the movie footage---ActHiR.mov---stored on a storage device, simulation occurs within the storage file, ActHiR.mov, rather than on the presentation. The simulation of modifications refers to the simulation of the proxy footage when the effects are added to the proxy frames on a display as the proxy footage is created during the rendering.

The original footage can be rendered at lower-resolution proxy on a display during the rendering. See Pages 7-11, wherein the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to produce the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps. See also Page 22, proxy is created during the rendering on a display. See also Page 30-31 wherein a variety of effects are applied to the lower-resolution proxies/counterparts of the original image frames of the movie project.

Importantly, Adobe After-Effect teaches at Pages 9-12 that the effects and properties applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored in ActHiR.mov----wherein the movie has been revised by adding effects to the original footage. It should be pointed out that the claim 1 set forth the claim limitation of "the file" referring to the same file for the presentation. Proxy footage is not written into the original footage file.

Although the proxy footage is also stored in the file folder as a proxy file, it is different from the revised movie footage----ActHiR.mov----and thus the movie footage file, not the proxy file, meets the claimed "file"; see Page 11 wherein ActPrx.mov is a proxy movie of ActHiR.mov; see Pages 22-31 for the lower-resolution counterparts/proxies of the original movie footage.

In a non-limiting example, Adobe After Effects teaches in Page 36 and 41 providing the plug-ins or effects to be added to a movie to produce modifications of an original movie rendered as lower-resolution image frames or proxies of the original movie. In Page 31 After Effects teaches that effects/coordinates can be controlled in the Effect Controls window. Adobe After Effects teaches rendering the project named 07Movie.mov, which represents a sequence of frames of the movie. In Page 2 and 6, After Effects teaches that the Render Settings window should be checked for the following settings: Use No Proxies and Effects All on. With After Effects, a user can also import high-resolution footage of an actor filmed against a blue screen and create a proxy or a lower-resolution copy of the original footage from the Composition window; see for example, Page 9-12. When a user use the ActHiR.mov file in a composition, After Effects will use the proxy for display. Effects and properties are applied to the actual footage when the movie is rendered as a proxy with Use No Proxies selected from the Proxy Use menu in the Render Settings dialog box in which a proxy is rendered. Even though the proxy is set to a lower-resolution of 152*384, it behaves as if it's 2048*1536 in the composition. After Effects teaches that the edit feature includes the settings in the Render Settings window wherein the settings can be changed by a user. Referring to the Page 2 and 6, to render a lower-resolution copy of an original movie, the references set forth in the claim invention correspond to the pixel positions/locations/coordinates/frame-time-stamps of the proxy frame(s) and/or the effects in correspondence with the original frame(s). After Effects teaches storing the modifications in response to a user edit command wherein the effects and properties applied to the proxies or the lower-resolution counterparts are also applied to the actual footage, e.g., ActHiR.mov. In Page 11-12 After Effects teaches that the proxy is stored in the file folder. In Page 11, After Effects

teaches that ActPrx.mov is a proxy movie of ActHiR.mov and in Pages 22-31 the proxies of the original movie are displayed as lower-resolution image frames. After Effects further teaches manipulating the time based stream of information in which the project 07Movie.mov is a time based stream of information and is rendered as a sequence of frames representing a movie. In Page 2 and 6 After Effects teaches that the Render Settings window should be checked for the following settings: Use No Proxies and "Effects All" on and the edit effects correspond to edit features of the claim invention are applied to the lower-resolution proxies at the spatial pixel coordinates while sampling the movie at a frame rate.

After Effects further teaches creating a proxy during the rendering and prior to completion of the rendering. Adobe After Effects teaches that the original movie can be rendered at lower-resolution during the rendering and the lower-resolution proxy is created/generated when it is rendered. In a non-limiting example, in Page 7-11, the After Effects teaches that the proxy representing Photo-JPEG images is rendered at quarter resolution of the original movie frames and at a frame rate of 24 fps less than the original movie's frame rate. Since the original movie is rendered at the lower-resolution and at lower frame rate as proxies, the original movie is modified when rendered. Moreover, when rendering the original movie, special effects such as Converter effects are applied to produce a revised presentation. The edit effects such as Cineon Converter effects are applied to the proxy during the rendering of the movie at 24 fps. In Page 22, proxies including FX_Prx.mov are created during the rendering and prior to completion of the rendering wherein proxy images and/or effects are added to the movie FX_HiR.mov and the proxy frames of FX_HiR.mov are rendered at the user-selectable resolution with the effects

being added to the proxy frames. In Page 21-31, a variety of effects are applied to the lower-resolution proxies/counterparts of the original image frames of the movie project.

After Effects teaches the claim limitation that the creating the proxy includes simulating the edit feature on the presentation. Adobe After Effects teaches that the original movie can be rendered as a lower-resolution proxy copy during the rendering. In Page 7-11, After Effects teaches that the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps. In Page 22, it is further illustrated that a proxy is created during the rendering and prior to completion of the rendering. In Page 30-31, a variety of effects are applied to the lower-resolution proxies or counterparts of the original image frames of the movie project.

After Effects teaches sending the proxy to display. In Page 22 After Effects teaches that you'll set proxies to speed up screen redraw and in Page 31 After Effects teaches that the lower-resolution proxies are displayed. After Effects teaches displaying the proxy during the rendering. In Page 22, After Effects teaches you'll set proxies to speed up screen redraw and thus proxies are displayed for screen redraw. In Page 31 After Effects teaches that the lower-resolution proxies are displayed.

Re Claims 2, 9, 16, 22:

The claims recite additional claimed limitation of displaying units of the presentation in response to the user edit command and sending instructions for creating the proxy when a unit

requiring modification is reached. However, After Effect further disclose the claim limitation of displaying units of the presentation in response to the user edit command and sending instructions for creating the proxy when a unit requiring modification is reached (After teaches in Page 11 displaying the proxy footage or movie frames by clicking the proxy indicator to turn it on or off. After Effects teaches in Page 23 creating a new composition at lower-resolution and the lower frame rate upon the user's edit command).

Re Claims 3, 10, 17, 23:

The claims recite additional limitation of creating proxy by drawing an imitation of the edit feature. However, After Effects further discloses the claim limitation of creating proxy by drawing an imitation of the edit feature (See Pages 30-31 wherein the imitation of the edit feature is drawn).

Re Claims 4, 11, 18, 24:

The claims recite additional claimed limitation of the edit feature being text and the imitation including simulated character, size and font. However, After Effect further discloses the claim limitation of the edit feature being text and the imitation including simulated character, size and font (See Pages 32-34).

Re Claims 5, 12 and 25:

The claim 5 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of a first software component having instructions for adding the edit feature

and the first software component being separate from a second software component that has instructions for creating the proxy. However, After Effect further discloses the claimed limitation of a first software component having instructions for adding the edit feature (the file-format plug-in in Page 35 which presents the Cineon file to After Effects or the Wave Warp plug-in in Page 36) and the first software component being separate from a second software component that has instructions for creating the proxy (See Page 23 wherein a new composition as a proxy of the original movie is rendered using the Adobe After Effects software which is separate from the plug-in; see Page 41 for the After Effects 4.0 Production Bundle).

Re Claims 6, 13, 19 and 25:

The claim 6 encompasses the same scope of invention as that of claim 5 except additional claimed limitation of the second software unit being a plug-in or ActiveX control.

After Effect further discloses the claim limitation of the second software unit being a plug-in or ActiveX control (for plug-in see Page 1 or the file-format plug-in in Page 35 or the Wave Warp plug-in in Page 36).

Re Claims 7, 14, 20 and 26:

The claims set forth additional claim limitation of displaying of the proxy at a rate that is substantially less than the play rate of the time-based stream of information.

After Effects further discloses the claim limitation of displaying of the proxy at a rate that is substantially less than the play rate of the time-based stream of information (*The original*

movie can be rendered at lower-resolution proxy during the rendering; see Page 7-11 wherein the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps which is much less than the native playback speed of the original movie).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-5, 8-12, 15-18, 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cajolet U.S. Patent No. 6,686,918 (hereinafter Cajolet) in view of Rayner U.S. Patent No. 5,519,828 (hereinafter Rayner).

2. Re Claims 1, 8, 15, 21:

Cajolet teaches a method of manipulating a presentation of a time based stream of information in a processing system, the method comprising:

Rendering modifications of a presentation that includes adding an edit feature to the presentation that has one or more references (*see column 6 wherein Cajolet discloses dragging operations to drag the edge to the desired new position wherein the new position as a reference*

to the presentation; the presentation has one or more references including a data structure, a pointer to a set of project properties, and a pointer to a plurality of elements and an offset which indicates the start of the element relative to the start of the project; see column 11, lines 26-60; the editing includes adding various effect functions to modify the result of animation, modifying the animation parameters such that the duration of a clip be increased or decreased; see column 8, lines 30-52; the editing includes changing the speed of the clip and modifying the start or end position; see column 8, lines 20-30; see also column 7, lines 23-43 for the teaching of an edit feature), to create a revised presentation, and storing the modifications in a file for the presentation in response to a user edit command (*the revised presentation includes the changing icons representing the state of the information in element 28b, the thumbnails 84a, 84b, 84c can indicate the change or evolution in the underlying information over time; see column 6, lines 4-28; the edit command includes the dragging operations wherein a user clicks on either the start or ending edge of clip with input device to drag the edge to the desired new position; see column 6, lines 29-52 and the clip is stored in a file for the presentation*), wherein the one or more references have instructions to manipulate the time based stream of information (*in column 8, lines 35-40, animations in response to modifications can be performed in real time and the animator modifies a set of parameters; see column 7, such as the animation parameters which provide references to the clips and the modeling tool has a plurality of functions that have instructions to modify the clip; see column 7, lines 10-60*); and

Creating a proxy of the revised presentation during the rendering that includes a simulation of the modifications, wherein the creating includes simulating the edit feature on the presentation, wherein the creating the proxy includes simulating the adding of the edit feature

to the presentation without writing the simulation of the modifications to the file (*The cited reference discloses creating a 2D information proxy such as thumbnails or icons that dynamically simulate the 3D animation of the character "John" wherein the thumbnails or icons are a proxy of the revised presentation of the 3D information and displaying the thumbnails or icons during the adding of the effects and thereby the thumbnails are created during the rendering/displaying because the icons representing the content of the clip to indicate the change or evolution in the underlying information over time with the add features being added; see column 6, lines 1-52; in column 8, lines 35-40, animations in response to modifications can be performed in real time. At least the simulation of the editing features on the proxy is not stored in the same file as the file for the clip*);

Sending the proxy to a display and displaying the proxy during the rendering (*The cited reference discloses displaying the thumbnails or icons during the adding of the effects and thereby the thumbnails are created during the rendering/displaying because the icons representing the content of the clip to indicate the change or evolution in the underlying information over time with the add features being added; see column 6, lines 1-52; in column 8, lines 35-40, animations in response to modifications can be performed in real time*).

Although Cajolet does not expressly disclose "a proxy", Cajolet discloses a simulation of the revised presentation (See column 6, lines 1-52 and column 8, lines 35-40).

Rayner teaches a method of manipulating a presentation of a time based stream of information in a processing system, the method comprising:

Rendering modifications of a presentation that includes adding an edit feature (*column 4, lines 25-35 discloses edit list*) to the presentation that has one or more references (*Rayner discloses an edit feature including one of the mark command of column 10, lines 20-30, reverse rate command of column 10, lines 45-50 and references include the vertical reference of column 12, lines 40-45, the time marks of column 12, lines 55-62 wherein the one or more references include the positions on the timeline*), to create a revised presentation and storing the modifications in a file for the presentation (*e.g., an active video sequence of column 6, lines 20-25 which have been virtually edited into a single sequence in one of the work areas; in* ***column 8, lines 10-20****, Rayner discloses that the active video sequence includes the video frame samples 17 which are stored with* ***pointers*** *or* ***references*** *to the locations of the corresponding video frames 19 and the video frames 19 are stored as a file for the presentation*) in response to a user edit command, wherein the one or more references have instructions to manipulate the time based stream of information (*the desired combined video sequence of column 14, lines 30-40 meets the claim limitation of "a revised presentation" or the composite video segments of column 5, lines 53-65 meets the claim limitation of "a revised presentation"*); and

Creating a proxy during the rendering that includes a simulation of the modifications, wherein the creating includes simulating the edit feature on the presentation, wherein the creating the proxy includes simulating the adding of the edit feature to the presentation without writing the simulation of the modifications to the file (*The frame samples of typically only eight pixels of information are used as a surrogate for the real video images during some parts of the editing process in Rayner meet the claim limitation of "a proxy" because the video samples; see column 5, lines 20-30. In column 6, lines 1-12, Rayner teaches*

previewing the virtual edit of the active layers as a composite sequence, ***but not recorded and thus the simulation of the modifications in the virtual edit are not recorded or not stored in the file****, and the virtual edit of the active layers meets the claim limitation of "a proxy" because it is a simulation of the revised presentation of the video sequence, the virtual edit includes changes the rate of the frames being presented such as 60 fps or 30 fps and thus simulating the virtual edit on the frames; see column 6, lines 1-12*);

Sending the proxy to a display and displaying the proxy during the rendering (*In column 6, lines 1-12, Rayner teaches previewing the virtual edit of the active layers as a composite sequence and the virtual edit includes changes the rate of the frames being presented such as 60 fps or 30 fps and thus simulating the virtual edit on the frames; see column 6, lines 1-12*).

Therefore, Rayner discloses a simulation of the revised presentation in which Rayner discloses the simulation of the video sequence when he presented the virtual edits of the video sequences.

It would have been obvious to one of the ordinary skill in the art to have combined the Rayner and Cajolet's teaching of editing the video sequence and presenting a simulation of the video sequence because Rayner suggests the claim limitation of "a proxy" by allowing for the much less total information than the underlying video frame be presented as surrogates for the real video images during some parts of the editing process (*See Rayner column 1, lines 30-35 and column 8, lines 53-65*) and Cajolet suggests the claim limitation of "a proxy" by teaching icons or thumbnails allowing for the much less total information than

the underlying video frame be presented as surrogates for the real video images during editing and thus allows for faster editing of the video sequence.

One of the ordinary skill in the art would have been motivated to do so to allow for the previewing without recording the editing of the composite video sequences active in the Workspace and thus creating the desired combined video sequence (See Rayner column 14, lines 30-45).

Re Claims 2, 9, 16, 22:

The claims recite additional claimed limitation of displaying units of the presentation in response to the user edit command and sending instructions for creating the proxy when a unit requiring modification is reached. However, Cajolet and Rayner further disclose the claim limitation of displaying units of the presentation in response to the user edit command and sending instructions for creating the proxy when a unit requiring modification is reached (column 8, lines 30—45 wherein Cajolet discloses that rendering of animations in response to modifications can be performed in real time). Cajolet discloses in column 8-9 that in addition to modifying the parameters of any given element in a project, a user may also modify the relationship between elements in a project, and add, subtract or substitute elements within a project. In particular, an edit can be performed with low quality elements, for speed and performance considerations, or elements which are merely placeholders for information which is not yet available. Once the information becomes available or a final edit is required at a different quality level, the various elements in the project can be replaced by the desired elements without

requiring any other effort on the part of the animator. The user can select one or more desired elements from a list of available elements presented in the browser in Function area 48 and drag and drop the desired element on top of the clip representing the placeholder or different quality element in a track 72 in NLE time line area 52. When a desired clip is dropped onto a clip already in the track, the desired clip replaces the clip already in the track and the start time, end time and duration of the desired clip are set to those of the clip previously in place.

Re Claims 3, 10, 17, 23:

The claims recite additional limitation of creating proxy by drawing an imitation of the edit feature. However, Cajolet and Rayner further disclose the claim limitation of creating proxy by drawing an imitation of the edit feature. In column 8, lines 35-40 of Cajolet, animations in response to modifications can be performed in real time and the animator modifies a set of parameters; see column 7, such as the animation parameters which provide references to the clips and the modeling tool has a plurality of functions that have instructions to modify the clip; see column 7, lines 10-60.

Re Claims 4, 11, 18, 24:

The claims recite additional claimed limitation of the edit feature being text and the imitation including simulated character, size and font. However, Cajolet and Rayner further disclose the claimed limitation of the edit feature being text and the imitation including simulated character, size and font. Cajolet describes textual description of the thumbnails and icons, which are the simulated textual descriptions of characters, size and font.

Re Claims 5, 12 and 25:

The claim 5 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of a first software component having instructions for adding the edit feature and the first software component being separate from a second software component that has instructions for creating the proxy. However, Cajolet further discloses the claimed limitation of a first software component having instructions for adding the edit feature and the first software component being separate from a second software component that has instructions for creating the proxy. Cajolet discloses using the animation tool to perform the change/edit commands (Cajolet column 11, lines 10-20) and separately re-rendering can be performed to produce the updated thumbnails on the clips in the NLE system by the render engine (Cajolet column 11, lines 1-3 and column 4, lines 45-50). Therefore, separate software components are involved to perform the editing by the animation tool and to perform rendering of the updated thumbnails on the clips.

Claims 6-7, 13-14, 19-20 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cajolet U.S. Patent No. 6,686,918 (hereinafter Cajolet) in view of Rayner U.S. Patent No. 5,519,828 (hereinafter Rayner) and Scott U.S. Patent No. 5,638,504 (hereinafter Scott).

Re Claims 6, 13, 19 and 25:

The claim 6 encompasses the same scope of invention as that of claim 5 except additional claimed limitation of the second software unit being a plug-in or ActiveX control.

Cajolet and Rayner are silent to the claimed limitation of the second software unit being a plug-in or ActiveX control.

However, Scott discloses a plug-in function block 440 for creating a proxy (Fig. 8) in addition to the other function blocks.

It would have been obvious to have incorporated Scott's plug-in into Cajolet and Rayner at the time of the invention was made because such software for creating proxy is old and well-known in the document processing art. Cajolet discloses a rendering engine as a plug-in for rendering the updated thumbnail in the NLE system (See column 4, lines 45-50; column 11, lines 1-3) and therefore suggesting the claim limitation. One of the ordinary skill in the art would have been motivated to include plug-in so that individual editing operations can be specified to which an intelligent proxy object can respond (Scott column 5, lines 40-45).

Re Claims 7, 14, 20 and 26:

The claims set forth additional claim limitation of displaying of the proxy at a rate that is substantially less than the play rate of the time-based stream of information.

Cajolet and Rayner are silent to the claim limitation of displaying of the proxy at a rate that is substantially less than the play rate of the time-based stream of information. However, Rayner discloses time marking the video sequence and presenting the virtual edits of the video sequence at a rate of 30 fps or 60 fps and therefore suggests the claim limitation of displaying the

proxy at a rate that is substantially less than the play rate of the time-based stream of information (See Rayner column 5, lines 1-15 and column 6, lines 1-12).

However, Scott also discloses displaying the proxy as a graphical icon which is displayed at a rate that is substantially less than the play rate of the window for presenting the document information (Scott column 15-16).

It would have been obvious to have incorporated Scott's invention into Cajolet and Rayner's invention because displaying the proxy at a rate substantially less than the play rate of the time-based stream of information is old and well-known in the document processing art at the time of the claimed invention was made as Scott discloses displaying the proxy basically as a static icon which is displayed substantially less than the play rate of the window for presenting the document information. Moreover, Cajolet discloses in column 6, lines 20-25 that thumbnail 84c occurs twice along time line 66 so that the thumbnail 84c is presented at a rate less than the clip rate and in column 7, lines 20-45 changing the animation speed and thus changing the rate for displaying the proxy. In column 8, lines 30-45, Cajolet discloses that the content of the frames in the modified element will change and must be rendered unless the modification was limited to the discarding of a portion of the animation or the employing of additional frames, previously rendered or stored and the re-rendering of animations in response to modifications can be performed in real time and therefore suggesting the claim limitation of displaying of the proxy at a rate that is substantially less than the play rate of the time-based stream of information. One of the ordinary skill in the art would have been motivated to have modified Cajolet and Rayner's invention so that the proxy object is updated less than the time-based

stream of information in which the editing operations are performed (Cajolet column 6, lines 20-25).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jin-Cheng Wang whose telephone number is (571) 272-7665. The examiner can normally be reached on 8:00 - 6:30 (Mon-Thu).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on (571) 272-7794. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

jcw Jianchong Wang, P.E.